

CHAPTER 2

TOBACCO/NICOTINE FREE ORDINANCE

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2.01 Purpose. The purpose of this ordinance is to promote the health and welfare of the public and employees on county property.

2.02 Authority. This ordinance is created pursuant to the authority granted to the County under Section 101.123(2)(a) of the Wisconsin Statutes (Wisconsin Clean Indoor Air Law). [Rev: 1/28/2020-03]

2.03 Definitions. The following definitions shall be applicable in this Chapter:

(1) *Smoking* means inhaling, exhaling, burning or carrying any lighted or heated cigar, cigarette, pipe, or any other lighted or heated tobacco or plant product intended for inhalation, including hookahs and marijuana, whether natural or synthetic, in any manner or in any form. “Smoking” shall include the use of an electronic delivery device which creates an aerosol or vapor, in any manner or in any form, or the use of any oral smoking device for the purpose of circumventing the prohibition of smoking in this ordinance.

(2) *Smokeless tobacco products* means snuff; plug and twist tobacco; fine-cut and other chewing tobaccos; and other kinds and forms of tobacco prepared in such manner as to be suitable for chewing or smoking in a pipe or otherwise, or both for chewing and smoking.

(3) *Electronic Delivery Device* means any product containing or delivering nicotine or any

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other substance intended for human consumption that may be used by a person to simulate smoking through inhalation of vapor or aerosol from the product. “Electronic Delivery Device” shall include any such device, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, e-hookah, or vape pen, or under any other product name or descriptor. [Rev: 1/28/2020-03]

2.04 Regulation of Tobacco/Nicotine Use.

(1) No person may smoke indoors at any time in any county-owned, rented or leased building.

(2) No person may smoke at any time inside of any county-owned, rented or leased vehicle.

(3) No person may smoke on county property/grounds.

(4) No person may place, maintain or chew, within their mouth, smokeless tobacco products at any time in any county-owned, rented or leased building.

(5) No person may place, maintain or chew, within their mouth, smokeless tobacco products at any time inside of any county-owned, rented or leased vehicle.

(6) No person may place, maintain or chew, within their mouth, smokeless tobacco products at any time on county property/grounds.

(7) In the event of conflict between the provisions of this ordinance and Section 101.123, Wis. Stats., the more restrictive regulation shall apply. [Rev: 1/28/2020-03]

2.05 Exemption from Smoking/Vaping Prohibition.

(1) The following grounds are exempt from the prohibitions of this ordinance:

(a) The Vilas County Fairgrounds.

(b) Vilas County forests.

(c) Vilas County outdoor recreation areas/parks/campgrounds. [Rev: 1/28/2020-03]

2.06 Penalty.

(1) Any person found guilty of violating this Ordinance or any part of this Ordinance shall be subject to a forfeiture of \$25.00 for each violation plus applicable court costs. [Rev: 1/28/2020-03]

Revised 1/28/20;

2.07 Notification to the Public.

(1) The person in charge of each county building or his or her designee shall cause to be posted at the entryway of each county building, signs notifying the public of the fact that the building is a smoke-free building. Absence of such sign, however, shall not be a defense to the violation of this ordinance.

(2) The person in charge of each county building or his or her designee shall cause to be posted on the property around such building notices limiting smoking to designated areas, if the Public Property Committee has established designated smoking areas applicable to the grounds of that specific building.

2.08 Enforcement. Enforcement shall be as provided in Chapter 25, section 25.04, of this General Code.